IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE P.R.RAMAN

FRIDAY, THE 8TH DECEMBER 2006 / 17TH AGRAHAYANA 1928

W.A.No.1797 of 2005

AGAINST THE JUDGEMENT IN W.P.(C).11202/2005 DATED 06/04/2005
.....

APPELLANT: 2ND RESPONDENT:-

C.M. ARSHAD, CHIRAYATH HOUSE,
MARAMPILLY, PERUMBAVOOR.

BY ADV. SRI.P.DEEPAK

RESPONDENTS:-
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1. P.I. ASHRAF, PERINGATTIL HOUSE,
VADAKODE P.O., KANGARAPPADY, KOCHI-21.

2. THE SECRETARY, REGIONAL TRANSPORT
AUTHORITY, ERNAKULAM.

R1 BY ADV. SRI.BENOY VASUDEVAN
R2 BY SENIOR GOVT.PLEADER SRI.M.R.SABU.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 08/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

V.K.Bali,C.J. & P.R.Raman,J.

W.A.No.1797 of 2005

Dated, this the 8th day of December, 2006

JUDGMENT

V.K.Bali, C.J. (Oral)

The short order that has been impugned in the present appeal passed by the learned Single Judge dated 6th April, 2005 reads as follows:

> "The learned Govt. Pleader, on instructions, submits that Ext.P2 has been received and the same shall be disposed of expeditiously.
>
> 2. This writ petition is accordingly allowed in part. The first respondent is directed to dispose of Ext.P2 representation in accordance with law expeditiously, at any rate, within a period of six weeks from the date on which a copy of this judgment is produced by the petitioner before the 1st respondent, after hearing all concerned".

The learned counsel for the appellant contends that the representation, such as Exhibit P2, is not competent. There is no

need to go into the question as, surely, the direction given by the learned Single Judge was to decide representation Exhibit P2 in accordance with law. If the law may not so permit, it would be always open to the appellant to so state and urge before the concerned authority and, surely, if such a plea is raised, the same shall be considered by the said authority.

There is no merit in this appeal, which is accordingly dismissed.

V.K.Bali
Chief Justice

P.R.Raman
Judge

vku/-